



OFFICE OF THE CITY MANAGER NO. LTC# 280-2012

2012 NOV -5 PM 12: 42

LETTER TO COMMISSION FFICE

TO:

Mayor Matti Herrera Bower and Members of the City Commission

FROM:

Kathie G. Brooks, Interim City Manager

DATE:

November 2, 2012

SUBJECT: Financial Impact of the Repeal of Miami-Dade County's Red Light Camera

Ordinance

This Letter to the Commission shall serve to provide the Mayor and City Commission with information regarding the fiscal impact of the proposed repeal of Section 30-422 of the Code of Miami-Dade County, which sets forth the policy that pertains to the implementation or placement of red light cameras within unincorporated areas of Miami-Dade County or on Miami-Dade County roads.

On November 8, 2012, the Miami-Dade County Board of County Commissioners will hold a public hearing and second reading of an ordinance (attached) which repeals:

- 1. Direction and Authority to implement a red light camera program in Miami-Dade County:
- 2. Sets policy that no red light camera program shall be implemented or maintained by Miami-Dade County in the Unincorporated Area; and
- 3. Sets policy that no red light camera program shall be implemented on County Roads.

Item number three, the repeal of the authorization for municipalities to place red light cameras on County Roads, will have an impact on the City of Miami Beach. The Administration is in contact with the Miami-Dade League of Cities, which is working on this issue to limit and/or eliminate the negative impact on municipalities.

The City of Miami Beach's, Red Light Camera Photo System (the "Program") utilizes ten (10) red light cameras within the general camera system group. A review of the legislation that proposes to repeal of Section 30-422 determined that two of the Program's intersections are located upon Miami-Dade County roads: Dade Boulevard and Washington Avenue and Dade Boulevard and 23rd Street.

Impact on the Safety Benefits of Miami Beach's Red Light Program

The intended purpose of traffic safety the Program was realized with a decrease in the number of crashes at the red light camera intersections from Fiscal Year 2009/2012 through the first three (3) quarters of Fiscal Year 2011/2012, as further detailed in the attached July 30, 2012 Letter to the Commission.

The two intersections that are impacted by this legislation have demonstrated a reduction in crashes through the first three quarters of this Fiscal Year:

Location	FY2009/2010	FY 2010/2011	FY 2011/2012
Dade Blvd & Washington	3	6	0
Dade Blvd & 23 rd Street	2	0	0

Letter to Commission November 2, 2012 Red Light Camera Program

Fiscal Impact to Miami Beach's Red Light Program

Section 27 of the City's Agreement with ACS State and Local Solutions Inc. imposes a cost neutral provision which states:

27. Cost Neutral Requirement:

The parties (ACS, Inc. and City of Miami Beach) agree and hereby acknowledge that this agreement is expected to be cost neutral. Accordingly, the actual revenue collected from the civil fees will at least match the cost of vendor's fees. Should the revenue collected from the civil fees fall short of cost of the vendors fees at any time over the term of the agreement, vendor will absorb the difference in cost, the City will not pay any additional fees not covered by actual revenue received. The cost neutral determination of this Section 27 shall be accomplished during the monthly "true up" of fees and payments for all cameras installed for more than six (6) months, as required in Section 7.5 hereof. This section does not apply to the revenue collected during the initial six (6) month period of time following the installation date for each individual camera, as stated in Section 7.5.

The City's program has not generated sufficient revenue that exceeds the monthly cost for those cameras in the general camera system group. In that regard, the cost neutral provision has controlled the financial obligation of the City's Program, and as such, the reduction of the two (2) cameras will not have a negative impact on the Program.

Conclusion

The intended purpose of traffic safety the Program has been realized with a decrease in the number of crashes at the red light camera intersections, and the proposed ordinance may have a negative impact on safety at the two affected intersections.

If you have any questions or comments, or need additional information, please do not hesitate to contact me.

KGB/KC/RAM/MNO/MG

Attachments (2)

MEMORANDUM

Agenda Item No. 5(A) (Public Hearing 11-8-12)

TO:

Honorable Chairman Joe A. Martinez

and Members, Board of County Commissioners

DATE:

October 23, 2012

FROM: R. A. Cuevas, Jr.

County Attorney

SUBJECT:

Ordinance related to red

light cameras; repealing Section

30-422 of the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez and Co-Sponsor Commissioner Rebeca Sosa.

County Attorney

RAC/jls

Memorandum



Date:

November 8, 2012

To:

Honorable Chairman Joe A. Martinez

and Members, Board of County Commissioners

From:

Carlos A. Gimenez

Mayor

Subject:

Ordinance Related to Red Light Cameras; Repealing Section 30-422 of the Code

The proposed ordinance related to red light cameras, repealing Section 30-422 of the Code, repeals the authority to use traffic infraction detectors/red light cameras in the unincorporated area of the County. Because no red light cameras have been installed, the implementation of this ordinance will not have a fiscal impact to the County.

Genaro "Chip" Iglesias Deputy Mayor

Fis1213

TO:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	DATE:	November 8, 2012
FROM:	R. A. Cuevas, Jr. County Attorney	SUBJECT:	Agenda Item No. 5(A)
P	lease note any items checked.		·
	"3-Day Rule" for committees applicable i	f raised	
1	6 weeks required between first reading an	ıd public hear	ing
	4 weeks notification to municipal officials hearing	required prio	r to public
	Decreases revenues or increases expendito	ares without b	alancing budget
	Budget required	,	•
,	Statement of fiscal impact required		
-	Ordinance creating a new board requires report for public hearing	detailed Cour	ıty Manager's
<u> </u>	No committee review		
<u> </u>	Applicable legislation requires more than 3/5's, unanimous) to approve	a majority vo	te (i.e., 2/3's,
	Current information regarding funding s		

Approved Mayo		Mayor	. A	genda Item No.	enda Item No. 5(A)		
Veto			. 11	-8-12			
Override	Management of the Control of the Con						
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ORDINANCE NO.

ORDINANCE RELATED TO RED LIGHT REPEALING SECTION 30-422 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REPEALING THE AUTHORITY TO USE TRAFFIC INFRACTION DETECTORS/RED LIGHT CAMERAS IN THE UNINCORPORATED AREA OF MIAMI-DADE COUNTY, FLORIDA; REPEALING RESOLUTION NO. R-759-10, REPEALING DIRECTION AND AUTHORITY TO THE MAYOR OR DESIGNEE TO IMPLEMENT A RED LIGHT CAMERA PROGRAM IN MIAMI-DADE COUNTY; SETTING POLICY THAT NO RED LIGHT CAMERA PROGRAM SHALL BE IMPLEMENTED OR MAINTAINED BY MIAMI-DADE COUNTY IN THE UNINCORPORATED AREA OR ON **PROVIDING** SEVERABILITY, COUNTY ROADS; INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, on July 8, 2010, this Board adopted Resolution No. R-759-10, which set policy for Miami-Dade County, authorized the installation of red light cameras and directed the Mayor or designee to implement a red light camera program in Miami-Dade County; and

WHEREAS, on January 20, 2011, this Board adopted Ordinance No. 11-01, which created section 30-422, Code of Miami-Dade County, authorizing the use of red light cameras in the unincorporated area of Miami-Dade County, and authorized the Mayor or designee to implement a red light camera program in the unincorporated area of Miami-Dade County pursuant to the Mark Wandall Traffic Safety Act, enacted by the Florida Legislature in 2010, Chapter 2010-80, Laws of Florida; and

WHEREAS, no red light camera system has been implemented by Miami-Dade County to date; and

WHEREAS, as such, not a single notice of violation or traffic citation has been issued on behalf of Miami-Dade County based on red light cameras; and

WHEREAS, this Board now desires to repeal all authority and direction to implement or maintain a red light camera program in the unincorporated area of Miami-Dade County by repealing Ordinance No. 11-01 and Resolution No. R-759-10,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 30-422 of the Code of Miami-Dade County, Florida, is hereby deleted in its entirety as follows: ¹

[[Sec. 30-422. Traffic intersection safety and traffic infraction detectors.

- (1) Purpose and intent. The purpose of this ordinance is to implement the Mark Wandall Traffic Safety Act, Chapters 2010-80 and 2010-163, Laws of Florida (HB 325 and HB 5501), as such may be amended from time to time (hereinafter the "Mark Wandall Traffic Safety Act" or the "Act"), in order to promote, protect and improve the health, safety and welfare of individuals and protect property in Miami-Dade County.
- (2) Scope of regulation and applicability. The provisions of this section shall apply to and be enforced in only the unincorporated areas of Miami-Dade County.
- (3) Use of Traffic Infraction Detectors. Miami-Dade County hereby exercises its authority pursuant to the Mark Wandall Traffic Safety Act to use traffic infraction detectors within the unincorporated areas of Miami-Dade County to enforce the Uniform Traffic Code of the State of Florida. The Mayor or designee is authorized to implement the provisions and requirements of the Act consistent with the specifications established by the Florida Department of Transportation, as such may be amended from time to time. The County is expressly

Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< shall be added. Remaining provisions are now in effect and remain unchanged.

authorized to use traffic infraction detectors to enforce red light signal violations pursuant to sections 316.074(1) and 316.075(1)(e)1., Florida Statutes, when a driver fails to stop at a traffic signal on streets and highways within the unincorporated areas of Miami-Dade County. The provisions of this ordinance shall not otherwise prohibit a law enforcement officer from issuing a traffic citation to a driver for a red light signal violation in accordance with Chapters 316 and 318, Florida Statutes.

- (4) Right-turn on red enforcement by traffic infraction detectors prohibited. Traffic infraction detectors shall not be used to enforce red light-signal violations when a driver is making a right turn where such turns are permissible. This subsection shall not otherwise prohibit a law enforcement officer from issuing a traffic citation to a driver for a right turn violation in accordance with Chapters 316 and 318, Florida Statutes.
- (5) Traffic infraction enforcement officers. The Mayor or designee is authorized to designate traffic infraction enforcement officers to administer the County's red light camera program pursuant to the Mark Wandall Traffic Safety Act, as such may be amended from time to time.
- (6) Notice and appeals. Notification of a violation of the Mark-Wandall Traffic Safety Act and appeals shall be provided as set forth in the Act, as such may be amended from time to time. The notice expressly shall advise the registered owner of the vehicle that he or she has a right to review the photographic or electronic images or streaming video evidence.
- (7) Penalties. A violation of the Mark Wandall Traffic Safety Act and section 30-422 shall be punishable as set forth in the Act, as such may be amended from time to time. The Act currently sets the fine at one hundred fifty eight dollars (\$158.00) per violation.
- (8) Signage and public awareness campaign. The Mayor or designee is directed to:
- i. Prior to installation of a traffic infraction detector at an intersection, install signage at the intersection indicating that traffic infraction detectors may be in use; and
- ii. No less than 30 days before traffic infraction detectors are installed, conduct a public awareness campaign related to traffic infraction detectors and red light safety.



- (9) Permits for installation of traffic infraction detectors by municipalities on county roads and infrastructure. The Mayor or designee—shall develop a policy for approval by this Board consistent with the Act setting the requirements for municipalities to acquire permits from the County to install traffic infraction detectors, including any applicable fees:
 - i. On County roads-within or adjacent to cities; and
- ii. On County traffic signal mast arms and other county infrastructure.
- (10) Revenue. Revenue realized by the County pursuant to the Act, once all associated costs have been paid and distributions made as required by the Act, shall supplement the unincorporated municipal service area (UMSA) budget. This provision shall be subject to annual appropriation by the Board.
- (11) Reporting. The Mayor or designee shall submit a report by October 1, 2012, and annually thereafter, to both the Florida Department of Highway Safety and Motor Vehicles or its successor state department (DHSMV) and this Board detailing the results of using traffic infraction detectors and the procedures for enforcement for the preceding state fiscal year. The information submitted must include statistical data and information required by the DHSMV to complete the report required by the Mark Wandall Traffic Safety Act.]]
- Section 2. Resolution No. R-759-10 is hereby repealed.
- Section 3. It is the policy of this Board that no red light camera program shall be implemented or maintained by Miami-Dade County in the unincorporated area or on County roads.
- Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

PAT

Prepared by:

MML

Jess M. McCarty

Prime Sponsor: Chairman Joe A. Martinez

OFFICE OF THE CITY MANAGER NO. LTC # 197-2012

LETTER TO COMMISSION

TO:

Mayor Matti Herrera Bower and Members of the City Commission

FROM:

Kathie G. Brooks, Interim City Manager

DATE:

July 30, 2012

SUBJECT: Crash Data at Red Light Camera Traffic Intersections

The purpose of this Letter to the Commission is to provide an update on the Red Light Camera Photo Enforcement Program and its impact on traffic safety per the request at the June 6, 2012 Committee of the Whole.

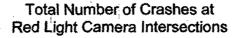
The program began on April 15, 2010, limited to City-owned roadways, with all ten (10) cameras becoming operational by October 2010. Following is a comparison of crash data at the nine (9) traffic locations with ten (10) Red Light Cameras from 2009-2011.

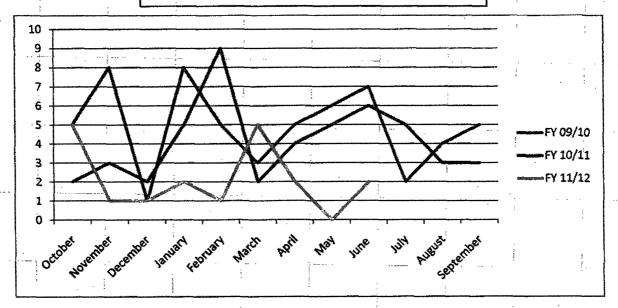
The table below shows the number of crashes at each red light camera intersection since the inception of the program by fiscal year. The data shows that the number of crashes at red light camera intersections has gone down since the inception of the program. From Fiscal Year 2009/2010 to Fiscal Year 2010/2011, the number of crashes at these intersections has gone down from 59 to 49.

Data for the first three (3) quarters of Fiscal Year 2011/2012 (October 2011 through June 2012) reflects a continuation of this downward trend, with a total of only 19 crashes. In addition, it is important to note that the number of total crashes reported citywide has increased from 4,723 in 2009 to 5,114 in 2011 – an 8% increase.

LOCATION	Date Camera Operational	Oct. 2009 — Sept. 2010	Oct. 2010 - Sept. 2011	Oct. 2011 - Year to Date (June 2012)
17 ST AND ALTON RD	4/15/10	. 7	9	10
17 ST AND WASHINGTON AVE	4/15/10	14	11	3
DADE BLVD AND WASHINGTON AVE	4/15/10	3	6	0
23 ST AND PINETREE DR	4/15/10	2	0	, 0 ,
CHASE AVE AND ALTON RD	4/15/10	· · · · · · 6	6	1
41 ST AND PRAIRIE AVE	4/15/10	3	3	· 1
63 ST AND INDIAN CREEK	4/15/10	14	9	. 2
ABBOTT AVE AND INDIAN CREEK	10/1/10	; A	2	0
71 ST AND INDIAN CREEK	4/15/10	6	3	† 2
TOTAL	, =	59	49	19

Moreover, data has been analyzed to determine if there is a trend when most crashes occur at these intersections. Below is a graph that shows the total number of crashes per month:





Crash data shows that in 2009 and 2010, most crashes took place in January and November, and spikes in 2010 and 2011 occurred in June, as well as the early part of the tourist season.

ENFORCEMENT DATA

All ten (10) red light cameras have only been operational since October 2010. As a result, there is only one (1) full year of data available that reflects the impact of this program.

The table below indicates the number of violations issued to date this year:

YEAR TO DATE January 1, 2012-May 31, 2012	TOTAL VIOLATIONS			AVG ISSUED PER DAY	% REJECTED
LOCATIONS	REVIEWED	ISSUED	REJECTED		· · · · · · · · · · · · · · · · · · ·
DADE BLVD - WASHINGTON AVE	40	34	66	0.22	55%
17 ST - WASHINGTON AVE - SB	971	440	531	2.89	45%
17 ST - WASHINGTON AVE - EB	359	196	163	1.29	6%
17 ST - ALTON RD - WB	. 393	368	25	2.42	2%
23 ST - PINETREE DR - SB	103	101	2	0.66	66%
CHASE AVE - ALTON RD - NB	1804	613	1191	4.03	67%
41 ST - PRAIRIE AVE	134	44	90	0.29	2%
INDIAN CREEK - 63 ST - SB	190	186	4	1.22	51%
INDIAN CREEK - 71 ST - NB	601	293	308	1.93	18%
INDIAN CREEK - ABBOTT AVE - SB	259	212	··· 47	1.39	15%
TOTAL	4,854	2,487	2,367	1.63	49%

As you can note, average violations issued per day is now 1.63. In comparison, a total of 7.572 red light camera violations were issued in 2010, with an average of 2.94 per camera per day. In 2011, 7,030 violations were issued with an average of 1.94 violations per day. As reflected in the table above, certain intersections are averaging less than one (1) violation per day, which has spurred discussions about camera relocations

CONCLUSION

Overall, data shows that driver behavior is certainly being modified, as the number of violations per intersection has declined since the inception of the program. Last year, the Commission authorized the Administration to pursue the relocation of two (2) cameras. In order to ensure that the relocation was appropriate from a safety perspective, the Administration provided the vendor with three (3) proposed locations based on crash data and volume of traffic, which would be validated by Affiliated Computer Systems (ACS) inc, the City's vendor for the red light cameras, through manual counts at their expense. These counts would provide information as to the number of red light violations on a given day, in blocks of time to discern productivity at peak hours, for a total of 7.5 hours. Initial results indicated that the locations proposed by the City were not problematic intersections for red light violations. Therefore, camera relocation to these intersections was not recommended.

After reviewing additional data and utilizing field experience from the Miami Beach Police Motor Squad Unit, an additional list of potential intersections to relocate two (2) of the red light cameras was provided to ACS and a second series of manual counts were conducted. The initial cost provided by ACS Inc., to relocate the two cameras was priced at \$180,000 (\$90,000 per intersection); however, through negotiations with ACS Inc. the Administration was able to reduce the price per camera relocation, which to approximately \$45,000 per intersection. As a result, two (2) new locations have now been identified and validated through manual counts, where camera relocation would cost the City approximately \$90,000. The relocation would move cameras from 41st & Prairie Avenue and Dade Boulevard & Washington Avenue to 41st Street & Alton Road and 43rd Street & Alton Road Northbound.

If you have any questions, please feel free to contact me.

RAM/DM/MG